

**MINUTES OF THE  
AUBURN CITY PLANNING COMMISSION  
NOVEMBER 7, 2006**

The regular session of the Auburn City Planning Commission was called to order on November 7, 2006 at 6:16 p.m. by Chairman Thompson in the Council Chambers, 1225 Lincoln Way, Auburn, California.

**COMMISSIONERS PRESENT:** Kosla, Merz, Smith, Worthington, Chrm.  
Thompson

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Will Wong, Community Development Director;  
Steve Geiger, Associate Planner; Sue Fraizer,  
Administrative Assistant

**ITEM I: CALL TO ORDER**

**ITEM II: APPROVAL OF MINUTES**

The minutes of the September 19, 2006 meeting were approved as submitted.

**ITEM III: PUBLIC COMMENT**

None.

**ITEM IV: PUBLIC HEARING ITEMS**

- A. Variance – 325 Foresthill Avenue (Jordan) – File #VA 06-2.**  
The applicant requests approval of a Variance request to allow a proposed two-story second residence at 35 Foresthill Avenue to exceed the single-story, fifteen (15) foot height limit requirement and the 1,000 square foot maximum size requirement for accessory structures.

By unanimous vote, this item was continued to November 21, 2006 due to a noticing error.

**B. Amendment to Subdivision Condition of Approval – 480 Miles Court (Woodland Estates Subdivision) – File #SUB**

**AMEND 782.** The applicant requests approval of an amendment to an existing condition of approval for the Woodland Estates subdivision. Said condition requires that fences and walls located within the 20 foot rear yard setback of Lots 24 through 29 (along High Street) shall be limited to a maximum height of 3 feet. The applicant is requesting modification to this condition to allow for a six (6) foot high alternating solid stucco and open wrought iron type fence with seven (7) foot posts within the rear yard of Lot 28 (480 Miles Court).

Planner Geiger gave the staff report. As a condition of approval for the Woodland Estates subdivision, a 34-lot single family residential development, condition #5D states that “Lots 24 through 29 shall maintain a minimum 20 foot rear yard setback from High Street. Fences and walls within said 20 foot setback shall be limited to a maximum height of 3 feet”. This condition was recommended by staff since these lots were “through” lots, and staff saw the potential for a solid line of 6 foot high fences made of varying materials along High Street. As a result, a 3 foot high white fence was erected as part of the subdivision improvements. The applicant is currently constructing a residence on Lot 28 and is requesting a modification to the condition to allow for a 6 foot high alternating solid stucco and open wrought iron type fence with 7 foot posts within the rear yard of Lot 28. The proposed alternating sections would be 6 feet in length. Staff is agreeable to an amendment to Condition #5D to allow for a 6 foot high fence with the restriction that the fences be constructed only of open wrought iron type fencing, and that the solid sections not be permitted. This would require that the applicant revise her proposal. Staff believes that allowing the 6 foot high fence will provide greater security to the residents while still meeting the design intent of the original condition of approval. Staff supports the approval of the amendment to the condition #5D, subject to the wording that is included in the Staff Report.

Comm. Kosla asked where this would be recorded, and if someone were to buy a lot, would they be informed of it.

Planner Geiger described the ways in which it may be recorded.

Comm. Kosla asked if this would open up the possibility of the other lot owners desiring 6 foot fences.

Planner Geiger said that Lots 24 through 29 may want to have 6 foot fences. With the wording proposed by staff, Lots 24 through 29 would be allowed 6 foot open wrought iron type fences.

Comm. Kosla asked for clarification about whether the fence on Lot 28 would be facing a house on the opposite side of the street.

Planner Geiger responded that due to the shape of the lot, that would probably be the case.

Comm. Kosla asked if the 6 foot fence would be visible from Highway 80 after the other homes are built.

Director Wong said he thinks it is doubtful. Staff's concern with a solid fence is the visual aspect of it in the neighborhood.

Comm. Kosla asked if this is typical for "through" lots.

Director Wong stated that "through" lots are not typical in the City.

Comm. Worthington stated that while visiting Lot 28, she spoke with the residents of Lot 20. Their concern is that the style of the fencing be consistent.

Comm. Smith asked if neighbors were notified of the proposed change to the condition.

Planner Geiger said that property owners within 300 feet of Lots 24 through 29 were notified of tonight's hearing by mail.

Comm. Merz asked if only one lot owner can ask for a change which would affect all the other lot owners. He is concerned about the neighbors' understanding that this would also affect them.

Planner Geiger said yes, one lot owner can ask for a change such as this.

Director Wong explained that the City added the original Condition of Approval for the subdivision. The new wording for the condition would actually be more lenient than the original condition was. He added that it would be very difficult to change the condition for only one lot since each lot owner may choose different styles and sizes of fencing.

The applicant, James Niles, 12090 Lakeshore North in Lake of the Pines came to the podium. He stated that he was not aware that his application for a variance was going to affect any other lots. He and his wife are building a custom home in a semi-custom neighborhood. He has spoken with several neighbors and all are in agreement with the proposed fencing change. The fencing they are proposing is a special patina wrought iron fencing. They were only able to obtain a certain amount, and to allow for fencing their entire property have arrived at the addition of the stucco, solid sections. They could match the stucco to that of the house.

Co-applicant, Marti Niles, 12090 Lakeshore North in Lake of the Pines came to the podium. She stated that High Street is a dead end street, and she will often be home alone, so she is concerned about security & privacy.

Comm. Kosla asked the applicant if they are able to do only wrought iron fencing without the solid sections in between.

Mr. Niles replied that they have looked everywhere and are unable to locate any more of this particular wrought iron, and have already purchased as much of it as they can find. That is why they are proposing the stucco sections between the wrought iron sections.

Comm. Worthington expressed her concern that the neighbors will not be able to replicate the fencing that the applicants have already purchased.

Director Wong stated that staff is agreeable to different styles of wrought iron. With the change in condition, there would be consistency with the fences all being of open work wrought iron "type" fencing.

Chrm. Thompson stated that she is in favor of the proposed fence because it matches the theme of the home. Comm. Kosla agreed.

Comm. Smith asked if the condition can require a 6 foot fence height rather than a "maximum" of 6 feet.

Director Wong replied that it could be difficult to obtain compliance from the residents with that requirement.

Chrm. Thompson asked how many sections of stucco would be included in the applicant's proposal.

Planner Geiger stated that without dimensions shown on the site plan, it is difficult to tell. His estimate would be 10 sections of each (wrought iron and stucco).

Comm. Merz stated that he believes the neighbors do not understand the impact this change in the condition will have on them.

Comm. Kosla stated that he would approve the applicant's specific proposal, but just for their lot.

There was discussion about continuing this item to allow time to further explain to the neighbors how the change to this condition will affect them.

Comm. Worthington **MOVED** to:

Continue Item IV-B for the amendment to subdivision Condition of Approval – 480 Miles Court (Woodland Estates Subdivision) – File #SUB AMEND 782 to the Planning Commission meeting on December 5, 2006 to allow time for a more detailed letter of explanation to be sent to the surrounding neighbors and for staff to return with other approval options for the Commission.

Comm. Smith **SECONDED**.

AYES: Kosla, Merz, Smith, Worthington, Chrm.  
Thompson  
NOES: None  
ABSTAIN: None  
ABSENT: None

The motion was approved.

**ITEM V: COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS**

A. City Council Meetings

None.

B. Future Planning Commission Meetings

There will be meetings on November 21, 2006 and December 5, 2006. January 15, 2007 or January 29, 2007, (Monday night) staff plans to have a joint meeting with City Council to discuss affordable housing, and

implementing the Housing Element.

C. Reports

None.

**ITEM VI: PLANNING COMMISSION REPORTS**

Comm. Merz reported on the Regional Greenprint meeting that he and Comm. Smith attended. He gave a handout to the other Commissioners.

Comm. Worthington reported that she will be attending a Streetscape Project meeting and will report back to the Commission about the meeting. She and Chrm. Thompson met with City Council members Snyder and Hanley regarding the Corridor Master Plan. They will be meeting again after the election.

Comm. Kosla reported on his findings that funding is available for the Corridor Management plan.

**ITEM VII: FUTURE PLANNING COMMISSION AGENDA ITEMS**

None.

**ITEM VIII: ADJOURNMENT**

The meeting was adjourned at 7:37 p.m.

Respectfully submitted,

Susan Fraizer, Administrative Assistant

